

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-174-E - ORDER NO. 2008-645
SEPTEMBER 24, 2008

IN RE: Carolina Power & Light Company d/b/a)	ORDER GRANTING
Progress Energy Carolinas, Inc.'s Resource)	REQUEST FOR
Plan from 2006-Present)	CONFIDENTIAL
)	TREATMENT

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc. ("PEC" or "the Company") for confidential treatment of certain material filed in this docket.

On September 2, 2008, PEC filed with the Commission the Company's 2008 Integrated Resource Plan. PEC requests that certain of the appendices to the Resource Plan be held confidential. PEC asserts that confidential data is contained in some of the appendices filed with the Resource Plan and that it is protecting the confidentiality of the data by making it available to the other parties pursuant to a non-disclosure agreement. Pursuant to Commission instructions regarding protection of confidential material, PEC files such data in a separate envelope clearly marked "confidential."

The South Carolina Freedom of Information Act ("FOIA") allows exemption from disclosure proprietary business information that meets a definition of "trade secrets." S.C. Code Ann. Section 30-4-40(a)(1) states that matters which may be exempt from FOIA include: "(1) Trade secrets, which are defined as unpatented, secret,

commercially valuable plans, appliances, formulas, or processes....Trade secrets also include, for those public bodies who market services or products in competition with others, feasibility, planning, and marketing studies, and evaluations and other materials which contain references to potential customers, competitive information or evaluation.” We find that information contained in PEC’s Integrated Resource Plan for 2008 for which the Company seeks protection as confidential falls within this definition of materials which may be exempted from disclosure under FOIA.

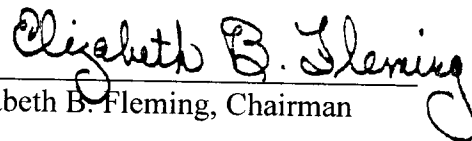
Because the Commission finds that the filing of PEC contains competitively sensitive critical information and meets the definition of “trade secrets” as defined under FOIA, the Commission grants the request.

IT IS THEREFORE ORDERED THAT:


1. The request of Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc. for confidential treatment is granted. Accordingly, certain appendices to Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc.’s 2008 Integrated Resource Plan filed with the Commission shall be declared confidential and shall be maintained under seal and withheld from public disclosure.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)